

## **NOTICE AND AGENDA**

**SUNNYVALE CITY COUNCIL  
TUESDAY, MAY 6, 2008  
COUNCIL CHAMBERS, 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

<b>5:00 P.M. SPECIAL COUNCIL MEETING (Study Session)</b>
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City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session – **Update on Boards and Commissions, including Recruitment and Selection Program, Review of Bylaws, and Promotion of Consistent Practices**
4. Public Comments
5. Adjourn Special Meeting

### **7 P.M. REGULAR MEETING**

#### **SALUTE TO THE FLAG**

#### **ROLL CALL**

*(Per Council Policy, the City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain and will be placed at the beginning of the public hearings/general business portion of the ensuing agenda. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.)*

#### **SPECIAL ORDER OF THE DAY – Recognition of Family Ambassador Program**

#### **PUBLIC ANNOUNCEMENTS**

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

#### **CONSENT CALENDAR**

- 1.A. MOTION                      Approval of Information/Action Items – Council Directions to Staff

#### **Fiscal Items**

- 1.B. MOTION                      List of Claims and Bills Approved for Payment by the City Manager – List  
    RTC 08–142                  No. 399

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.C. MOTION Award of Request for Proposals No. F0709-35 for a Solar Photovoltaic  
RTC 08–123 System at Fire Station No. 2 and Approval of Budget Modification No. 49  
for Project Funding

Staff Recommendation: Council approves Budget Modification No. 49 for \$142,660 and awards \$140,660 to Petersen-Dean Solar to install a solar photovoltaic system to serve Fire Station No. 2, and provides up to \$2,000 to a solar consultant, as determined by Facilities Services staff, to develop visual and written materials to educate the general public on the use of photovoltaic systems.

Staff Contact: Cathy Merrill, (408) 730-7531

- 1.D. MOTION Notice of Intent to Apply for, Accept, and Appropriate a Grant from the  
RTC 08–137 California Office of Traffic Safety in the Amount of \$26,500 for In-  
Pavement Crosswalk Lights and Budget Modification No. 48

Staff Recommendation:

- Council authorizes staff to apply for the Office of Traffic Safety grant funds for installation of in-pavement crosswalk warning lights on Cezanne Drive;
- Council authorizes acceptance of the grant in the amount of \$26,500, if the grant is awarded; and
- Council approves Budget Modification No. 48 to appropriate the monies to a capital project to fund the procurement and installation of the in-pavement crosswalk warning lights.

Staff Contact: Jack Witthaus, (408) 730-7330

- 1.E. MOTION Fleet Services Budget Overrun in the Amount of \$270,000 Due to  
RTC 08–126 Increased Fuel Costs in Fiscal Year 2007/2008 and Approval of Budget  
Modification No. 52

Staff Recommendation: Council approves Budget Modification No. 52 in the amount of \$270,000 to increase the operating budget for Program 763 Provision of Vehicles and Motorized Equipment to cover the increase in fuel costs.

Staff Contact: Tony Vargas, (408) 730-7570

- 1.F. MOTION Accept and Appropriate Safe Routes to School Grant Funds in the  
RTC 08–147 Amount of \$295,600 for Citywide School Route Improvement and Budget  
Modification No. 47

Staff Recommendation:

- Council accepts and appropriates Federal Safe Routes to School Grant Funds in the amount of \$295,600 for city wide school route improvement projects; and
- Council approves Budget Modification No. 47 to appropriate the grant to a new project.

Staff Contact: Jack Witthaus, (408) 730-7330

- 1.G. MOTION Receive Staff Report on Recent Emergency Bridge Repairs, Revise the  
RTC 08–149 Budget and Schedule for Wolfe Road Caltrain Overcrossing, Project  
825620, and Approve Budget Modification No. 53

Staff Recommendation: Council approves revising the schedule and budget for Wolfe Road Caltrain Overcrossing, Project #825620, to begin in the current fiscal year, with a budget of \$2 million, along with approval of the related budget modification.

Staff Contact: Mark Rogge, (408) 730-7426

## Contracts

- 1.H. MOTION Award of Bid No. F0703-75 for Roof Replacement at the Corporation  
RTC 08-141 Yard

### Staff Recommendation:

- Council awards a contract in substantially the same form as the attached draft and in the amount of \$217,084, to Louis & Riparetti to replace the roofs on Fleet, the Meter Shop and Stores at the Corporation Yard; and
- Council approves a project contingency in the amount of \$26,050.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.I. MOTION Award of Bid No. F0703-79 for Pavement Rehabilitation of Various  
RTC 08-144 Streets and Approval of Budget Modification No. 51

### Staff Recommendation:

- Council awards a contract, in substantially the same form as the attached draft in the amount of \$1,328,157 to Top Grade Construction Incorporated for the Pavement rehabilitation of various streets;
- Council approves a budget contingency in the amount of \$199,224; and
- Council approves Budget Modification No. 51.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.J. ORDINANCE Adoption of Ordinance No. 2871-08 Amending Section 10.16.030 of  
No. 2871-08 Chapter 16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the  
Sunnyvale Municipal Code

Staff Recommendation: Council approves second reading of Ordinance No. 2871-08.

Staff Contact: David Kahn, (408) 730-7464

## STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments*

## PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

## PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION Positions on State and Local Ballot Measures for the June 2008 Election  
RTC 08–146

Staff Recommendation: Council adopts the following positions on the ballot measures:

State Ballot Measures:

*Proposition 98:* Eminent Domain. Limits on Governmental Authority. Initiative Constitutional Amendment: OPPOSE

*Proposition 99:* Eminent Domain. Limits on Governmental Acquisition on Owner-Occupied Residence. Initiative Constitutional Amendment: SUPPORT

Staff Contact: Yvette Agredano, (408) 738-7536

3. MOTION Public Hearing to Defer Consideration of *Continuing Study Issue DPW 2C: Update of the Water Resources Sub-Element of the Environmental Management Element of the Sunnyvale General Plan* to a Study Session on June 3, 2008, and Subsequent Public Hearing at a Future Council Meeting  
RTC 08–148

Staff Recommendation: Council defers consideration of *continuing Study Issue DPW 2C: Update of the Water Resources Sub-Element of the Environmental Management Element of the Sunnyvale General Plan* to a study session on June 3, 2008, and subsequent public hearing at a future council meeting.

Staff Contact: Jim Craig, (408) 738-7558

#### **NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

#### **INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- RTC 08–143 Sunnyvale Stevens Creek Trail Update
- Draft Minutes for the Housing & Human Services Commission of April 16, 2008
- Study Session Summary – Seismic Safety and Safety Sub-Element

#### **ADJOURNMENT**

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#### **Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

## **GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

### **Public Announcement – Beginning of Council Meeting**

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

### **Public Hearing – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

### **Public Comments**

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

### **Planning a presentation for a City Council/Planning Commission meeting?**

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

### **Planning to present materials to Council?**

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

**SCHEDULED COUNCIL MEETINGS**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
May 6, 2008	Council Meeting	7 p.m.	Council Chambers
May 13, 2008	Council Meeting	7 p.m.	Council Chambers
May 23, 2008	City Manager's Recommended Budget Workshop	8:30 p.m.	Council Chambers
June 3, 2008	Council Meeting	7 p.m.	Council Chambers
June 10, 2008	Council Meeting	7 p.m.	Council Chambers
June 24, 2008	Council Meeting	7 p.m.	Council Chambers
July 15, 2008	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

May 7, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
May 12, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
May 12, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
May 14, 2008	Administrative Hearing	2 p.m.	West Conf. Room
May 15, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
May 19, 2008	Personnel Board	5 p.m.	Council Chambers
May 21, 2008	Joint Arts Commission and Parks and Recreation Commission Study Session	6 p.m.	West Conf. Room
May 21, 2008	Joint Arts Commission and Parks and Recreation Commission Study Session	7 p.m.	Council Chambers
May 28, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
May 28, 2008	Administrative Hearing	2 p.m.	West Conf. Room
June 9, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
June 9, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
June 11, 2008	Administrative Hearing	2 p.m.	West Conf. Room
June 11, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
June 18, 2008	Arts Commission	7 p.m.	Council Chambers
July 9, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers

**CHANNEL 15 – KSUN**

May 6, 2008	City Council Meeting – Live	7 p.m.
May 7, 2008	City Council Meeting – Replay of May 6, 2008	7 p.m.
May 11, 2008	City Council Meeting – Replay of May 6, 2008	4 p.m.
May 13, 2008	City Council Meeting – Live	7 p.m.
May 14, 2008	City Council Meeting – Replay of May 13, 2008	7 p.m.
May 18, 2008	City Council Meeting – Replay of May 13, 2008	4 p.m.
May 23, 2008	City Council Meeting – Live	8:30 a.m.
May 24, 2008	City Council Meeting – Replay of City Manager's Recommended Budget Workshop on May 23, 2008	8:30 a.m.
May 28, 2008	City Council Meeting – Replay of City Manager's Recommended Budget Workshop on May 23, 2008	8:30 a.m.
June 3, 2008	City Council Meeting – Live	7 p.m.
June 4, 2008	City Council Meeting – Replay of June 3, 2008	7 p.m.
June 8, 2008	City Council Meeting – Replay of June 3, 2008	4 p.m.
June 10, 2008	City Council Meeting – Live	7 p.m.
June 11, 2008	City Council Meeting – Replay of June 10, 2008	7 p.m.
June 15, 2008	City Council Meeting – Replay of June 10, 2008	4 p.m.
June 24, 2008	City Council Meeting – Live	7 p.m.
June 25, 2008	City Council Meeting – Replay of June 24, 2008	7 p.m.
June 29, 2008	City Council Meeting – Replay of June 24, 2008	4 p.m.
July 15, 2008	City Council Meeting – Live	7 p.m.
July 16, 2008	City Council Meeting – Replay of July 15, 2008	7 p.m.
July 20, 2008	City Council Meeting – Replay of July 15, 2008	4 p.m.

